

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION

MATTHEW PRESTON PICKARD,

Plaintiff,

v.

Commissioner of Social Security,

Defendant.

Civil No. 1:20-cv-00150-FDW-DSC

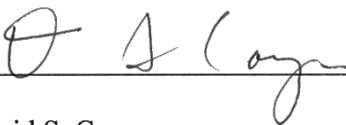
**ORDER**

Plaintiff's counsel filed a Motion for approval of attorney's fees under 42 U.S.C. § 406(b), in the amount of \$1,319.50. Attorney's fees under 42 U.S.C. § 406(b) are paid from past-due benefits awarded to a successful claimant. Defendant filed a response, stating that under *Gisbrecht v. Barnhart*, 535 U.S. 789 (2002), it is the duty of the Court to determine a reasonable fee. After considering the factors identified by the Fourth Circuit in *Mudd v. Barnhart*, 418 F.3d 424, 428 (4<sup>th</sup> Cir. 2005), the Court finds the fees requested to be reasonable.

It is ORDERED that Plaintiff's counsel be awarded fees under 42 U.S.C. § 406(b) in the amount of \$1, 319.50.

**SO ORDERED.**

Signed: March 10, 2023

  
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David S. Cayer  
United States Magistrate Judge

